

WASIYYAT RULES

Published by
Nazarat Nashr o Ishaa'at Qadian

Wasiyyat Rules

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بسم الله الرحمن الرحيم

AUTHOR'S NOTE

Nazarat *Bahisti Maqbarah* is blessed with the opportunity to print a new edition of the rules and regulations of *Wasiyyat*, as revised under the auspices of Hadrat Khalifatul Masih IV and Hadrat Khalifatul Masih V.

These rules and regulations were originally published after the *Majlis-e-Shura* of 1983 in which a committee was established by Hadrat Khalifatul Masih IV to compile and record the rules of *Wasiyyat*.

Copies of these *Wasiyyat* Rules should be kept in all *Jama'at* libraries. It is the responsibility of *Wasiyyat* Secretaries to learn these rules and guide *Musis* accordingly.

May Allah enable all *Musis* and office bearers of the *Jama'at* to benefit from this new edition.

Yours sincerely,

Secretary *Majlis Karpardaz*,
Masalih Qabristan, Rabwah.

FOREWORD

Certain proposals relating to *Wasiyyat* were made during *Majlis-e-Mushawarat* of 1983. After deliberations thereon, Hadrat Khalifatul Masih IV constituted a Committee to 'conduct a thorough review of all the existing rules of *Wasiyyat* based on the fundamental objectives of *Wasiyyat*' and 'to make the rules consistent with each other' and present them to Hudur. The members of this Committee were as follows:

NAME	REPRESENTING
1. Dr Ata ur Rahman,Sahiwal (Chairman of the Committee)	<i>Sahiwal, Multan, Bahawalpur, Rahimyar Khan, Dera Ghazi Khan</i>
2. Ch Saghir A Cheema,Karachi	<i>Karachi, Sind, Baluchistan</i>
3. Mr Mujibur Rahman, Advocate, Rawalpindi	<i>Rawalpindi, Gujrat, Attock, Jehlum</i>
4. Ch Idris Nasrullah Khan. Lahore	<i>Lahore, Gujranwala, Sialkot, Okara, Kasur</i>
5. Ch Ghulam Dastgir, Advocate, Faisalabad	<i>Faisalabad, Sargodha, Jhang, Sheikhupura, Mianwali and other districts of The Punjab</i>
6. Mr Abdus Salam Khan, Peshawar	<i>Province of Sarhad</i>
7. Sahibzada Mirza Khurshid Ahmad, Rabwah	<i>Sadr Anjuman Ahmadiyya Pakistan</i>
8. Mr Bashir Shad,..... Rabwah	<i>-do-</i>
9. Mr Nasim Saifi, Rabwah	<i>Tahrik Jadid Anjuman Ahmadiyya</i>
10. Mr M Muslihuddin Ahmad, Rabwah	<i>-do-</i>
11. Mr Abuul Munir Nurul Haq, Rabwah	<i>Waqf Jadid Anjuman Ahmadiyya</i>
12. Sahibzada Mirza Ghulam Ahmad, Rabwah	<i>Majlis Ansarullah Markaziyya</i>
13. Mr Ata ur Rahman Mahmood, Rabwah	<i>Majlis Khuddamul Ahmadiyya Markazia</i>
14. Mir Masood Ahmad,..... Rabwah	<i>Lajna Imaillah Markaziyya</i>
15. Mr Sultan Mahmud Anwar, Rabwah	<i>Secretary of the Committee</i>

Subsequent to the report of this Committee, presented at the *Majlis Mushawarat* of 1984, Hadrat Khalifatul Masih IV accepted the recommendations of this Committee with some amendments and instructed the Committee to reconsider four specific items and present further recommendations. The

Committee submitted its recommendations on these four items on 26 February 1985 which Hudur graciously approved. The Private Secretary communicated the assent of Hudur with further directions that this report and Hudur's decision thereon should be placed before *Majlis-e-Mushawarat* for information and it will not be necessary for this report to be put to debate. Accordingly, the aforementioned report and Hudur's instructions thereon were read out at the *Majlis-e-Shura* of 1985.

The Department of *Bahishti Maqbarah* has pleasure in publishing these duly approved *Wasiyyat* Rules for the benefit of the members of the *Jama 'at* and the *Musis* in particular.

In compiling these rules, the Committee carried out an in-depth study of the booklet *Al-Wasiyyat* and the Appendix thereto, the Minutes of the first meeting of the Board of Directors of Sadr Anjuman Ahmadiyya Qadian dated 29 January 1906, the directives of the *Khulafa* of the *Jama 'at* Ahmadiyya and all the prevailing rules relating *Wasiyyat*. Similarly the relevant portions of the reports of *Majlis-e-Mushawarat* from 1922 to 1983 were studied in detail and the entire body of rules has been compiled and arranged afresh. In this fresh compilation, the following points have been borne in mind:

1. Those aspects which represent the fundamental principles and objectives of the institution of *Wasiyyat*, more specifically the instructions of the Promised Messiah and the *Khulafa* of the *Jama 'at* Ahmadiyya, have been codified in one place and have been categorised as Rules.
2. Those aspects which are subject to change from time to time or instead of some basic principle, relate more to details or indeed the minutiae have been given the shape of Regulations.

3. Those aspects which exclusively relate to administrative matters have been classified in the form of Instructions in one place.

In this regard, wherever possible in the basic rules, the exact words have been used from the booklet *Al-Wasiyyat*, the appendix to this booklet, or the resolutions passed by the aforementioned first meeting.

In this way, 94 Rules have been compiled under the following headings. These were graciously approved by Hadrat Khalifatul Masih IV and are hereby presented to the members of the *Jama 'at* in their published form:

1. *Definitions*
2. *Majlis Karpardaz Masalih Qabristan*
3. *Eligibility and qualification for Wasiyyat*
4. *Execution and completion of Wasiyyat*
5. *Payments*
6. *Cancellation and Restoration of Wasiyyat*
7. *Burial and Memorial Stones*
8. *Miscellaneous*
9. *Interpretation, Explanation, Amendment and Repeal.*

Following the aforementioned Rules, the booklet includes Schedules as under:

- * *Specimens of the Application Forms for Wasiyyat and attestation*
- * *Regulations of Majlis Karpardaz (Income).*
- * *Specimens of the forms for the Detail of Payments and Declaration Regarding payments of Hissa Amad.*
- * *Regulations of Majlis Karpardaz (Assessment procedure)*
- * *Majalis Musian*
- * *Instructions for Musis.*
- * *Instructions for prospective Musis*

- * *Instructions for Majlis Karpardaz Masalih Qabristan*
- * *Instructions for Office-Bearers of Local Jama'ats*
- * *Specimen form for particulars of Deceased Musi/Musiah for Burial*
- * *Instructions for the Office of Bahishti Maqbarah*
- * *Instructions Regarding Restoration of Cancelled Wasiyyats*

Nazarat *Bahishti Maqbarah* expects from the members and office bearers of the *Jama'at*, and in particular, from the Chairman of the *Majlis Musian* to draw the attention of each and every *Musi* and *Musiah* to study this booklet, and motivate them to follow the rules and regulations in order to strengthen the institution of *Wasiyyat*.

Secretary *Majlis Karpardaz
Masalih Qabristan*, Rabwah

A NOTE ABOUT TRANSLATION

The present translation which has been revised many times over is a fairly accurate English rendering of the *Wasiyyat* Rules from Urdu Original. An attempt has been made to stick to the text as nearly as possible, and to translate it in a free flowing idiomatic English without sacrificing the concept and spirit of Rules. At places it may appear to be cumbersome but that is mainly due to difference in the genesis of the two languages, and could not be avoided. *It must be remembered as a First Principle that in case of any doubt or apparent conflict, it is the Urdu Original that shall prevail and the Rules shall continue to be construed and interpreted from Urdu Original.* This English rendering is provided by way of service to the English speaking readership. For better appreciation of Rules, footnotes have been added wherever necessary. In order to promote uniformity, it is considered desirable to introduce some of the Urdu terms which are frequently used in the *Jama'at*. The translation includes up-to-date amendments with the approval of Hadrat Khalifatul Masih IV.

For any clarification the members are advised to approach *Majlis-e-Musian*, Wakilul Mal II Tahrir Jadid Anjuman Ahmadiyya Pakistan, Rabwah or the Secretary *Majlis Karpardaz* Rabwah, Pakistan through Wakilul Mal II Tahrir Jadid.

Hameedullah
Wakil A'la
Tahrir Jadid Anjuman Ahmadiyya Pakistan
Rabwah

London
Dated: November 1, 1989

PREFACE TO THE SECOND EDITION

The English translation of the *Wasiyyat* Rules was first published in 1989. Thereafter some additions and amendments were made in these rules with the approval of Hadrat Khalifatul Masih IV and Hadrat Khalifatul Masih V. These changes have been incorporated in the second Urdu edition of the booklet and published by Nazarat *Bahishti Maqbarah* in May 2009. Tahrik Jadid is now presenting the English translation of the updated edition of *Wasiyyat* Rules.

This update edition comprises of three parts:

- The Rules of *Wasiyyat*
- Regulations of *Majlis Karpardaz*
- Instructions (Guidelines)

The additions and amendments made in these sections are as follows:

The Rules of *Wasiyyat*:

1. References of the relevant rules and resolutions of Sadr Anjuman Ahmadiyya Pakistan have been added to these rules.
2. Important changes have been incorporated in some of the rules regarding *Majlis Karpardaz Masalih Qabristan*, Execution and Completion of *Wasiyyat*, Payments of *Chanda Wasiyyat*, Cancellation and Restoration of *Wasiyyat* and Burial & Memorial stones.
3. Samples of the Forms of *Wasiyyat* have also been included with necessary changes.

The Regulations of *Majlis Karpardaz*

1. A detailed and updated definition of *Income* has been provided.

2. Samples of the forms related to *Schedule C*, including ‘*Details of Payments*’ and ‘*Declaration / Verification form regarding payments of Chanda Hissa Amad*’ have been included with relevant changes. In this edition, the specimen of the form for particulars of property has also been included for the first time.
3. Some additions and changes have also been made in the regulations regarding the assessment of property.

Instructions (Guidelines)

1. The rules regarding *Majalis Musian* have been amended.
2. The instructions regarding *Musis*, prospective *Musis*, office-bearers of the local *Jama'ats*, and office of *Bahishti Maqbarah* have also been amended.
3. In view of the importance of *Maqbarah Musian* in a country, new instructions have been included regarding the management of these *Maqbarahs*.

May Allah give us all the power to follow these rules and guidelines to the best of our ability.

Yours Sincerely,

Hameedullah
Wakil A'la
Tahrik Jadid Anjuman Ahmadiyya
Pakistan, Rabwah

Dated: March 10, 2010

A GUIDING PRINCIPLE

While giving glad tidings regarding the appearance of the second manifestation, the Promised Messiah, peace be upon him, has written in the booklet *Al-Wasiyyat* as follows:

"I am a living manifestation of the transcendent, omnipotent will of God. After me there will be other persons who will represent the second manifestation of His will."

According to the unanimous consensus of the *Jama'at* reached immediately after the demise of the Promised Messiah, peace be upon him, the promised *second manifestation* was understood without question to have been realized in the form of the Khilafat-e-Ahmadiyya as such the entire *Jama'at* including Sadr Anjuman Ahmadiyya submitted unconditionally to the superior authority of the second manifestation in the person of Hadrat Hakim Maulvi Noor-ud-Din Sahib Khalifatul Masih I.

Thus it was established once for all that Sadr Anjuman Ahmadiyya will always have the same relationship with the second manifestation i.e. Khalifatul Masih as it had with the first manifestation i.e. The Promised Messiah, peace be upon him.

The relevant clause from the rules of Sadr Anjuman Ahmadiyya which were approved by the Promised Messiah, peace be upon him, himself and were published in *Al-Hakm* and *Al-Badr* is as follows:

"In each matter the orders of the Promised Messiah shall be absolute, final and binding on Sadr Anjuman Ahmadiyya, its subordinate bodies and all of its branches".

(*Al-Badr* No. 8, Vol. 11, page 8, dated 23rd February 1906)

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WASIYYAT RULES

Rule 1. These rules shall be called *Wasiyyat* Rules and shall come into force with immediate effect.

Rule 2.

DEFINITIONS

i. **WASIYYAT** (Will) means a testament made in accordance with rules under the institution of *Wasiyyat* established by the Promised Messiah through his booklet *Al-Wasiyyat*.

ii. **PROSPECTIVE MUSI** means a person who aspires to be a *Musi* and who after completion and execution of the *Wasiyyat* has handed it over to a designated official of the *Jama'at*.

iii. **MUSI** means every prospective *Musi* whose *Wasiyyat* has been duly approved and accepted by Sadr Anjuman Ahmadiyya Pakistan.

iv. **MAJLIS KARPARDAZ** means *Majlis Karpardaz Masalih Qabristan* (the Executive Committee for the Administration of Graveyard or Cemetery Affairs) established in the Centre of *Jama'at* Ahmadiyya pursuant to the Appendix to the booklet *Al-Wasiyyat*.

v. **JAI'DAD** (estate) means all movable and immovable property owned by the *Musi* which is considered as the *Musi's* property by the *Majlis Karpardaz* and which has not been rendered exempt by any regulation of *Majlis Karpardaz*.

vi. **HISSA JAI'DAD** means that part of a *Musi's Jai'dad* which is payable according to the terms of his *Wasiyyat* in the prescribed manner.

vii. **AMAD** (Income) means all income of a *Musi* which is received by him from various sources and which has not been declared as exempt under any regulation of *Majlis Karpardaz*.

viii. **Hissa Amad** means that *Chanda* (contribution) which is payable on the *Amad* according to the terms of a *Musi's Wasiyyat*.

ix. **TARKA** means all that estate (property or cash and assets) owned by the *Musi** at the time of his death and which is generally recognised or considered as *Tarka* and has not been rendered exempt under any regulation of *Majlis Karpardaz*.

x. **ASSESSMENT** means assessment in the prescribed manner of the *Jai'dad* of a *Musi*.

xi. **PRESCRIBED MANNER** unless the context otherwise requires, doing of a thing in a prescribed manner means doing it in accordance with the regulations relevant to the subject for the time being in force.

xii. **THE AGE OF MAJORITY** shall for the purpose of *Wasiyyat* mean the age considered by *Shari'ah* as the age of majority which is generally construed as 15 years.

* i.e. his net estate before devolution

MAJLIS KARPARDAZ MASALIH QABSRISTAN
**(EXECUTIVE COMMITTEE FOR ADMINISTRATION OF
GRAVEYARD AFFAIRS)**

Rule 3. There shall be a Committee to be named as *Majlis Karpardaz Masalih Qabristan*, at the Centre of the *Jama'at*, for all administrative matters relating to *Wasiyyat* and *Bahishti Maqbarah*. This Committee shall be deemed to be *Nazir* (Executive Incharge) of the Department of *Bahishti Maqbarah*.¹

Rule 4. *Majlis Karpardaz* shall consist of at least five members among whom 'there shall always be at least two members who are well versed in Qur'an and Hadith, have good knowledge of Arabic and are fully conversant with the literature of the *Jama'at Ahmadiyya*'.

(Appendix to *Al-Wasiyyat*, Clause 16)

One representative from *Tahrik Jadid Anjuman Ahmadiyya* shall be included among the members.²

Rule 5. The appointment of members of *Majlis Karpardaz* shall be made with approval of *Hadrat Khalifatul Masih*. At the beginning of every year the President of *Majlis Karpardaz* shall submit to *Hadrat Khalifatul Masih* the case for the nomination of the members.³

¹ Rule No. 217 Rules and Regulations of *Sadr Anjuman Ahmadiyya Pakistan*, Published in November 2001

² Rule No. 218 Rules and Regulations of *Sadr Anjuman Ahmadiyya Pakistan*, Published in November 2001

³ Rule No. 219 Rules and Regulations of *Sadr Anjuman Ahmadiyya Pakistan*, Published in November 2001

Rule 6. The President of the *Majlis Karpardaz* shall be such member of Sadr Anjuman Ahmadiyya Pakistan as is appointed by Hadrat Khalifatul Masih for that purpose.¹

Rule 7. There shall be a Secretary of *Majlis Karpardaz* who shall be appointed with the approval of Hadrat Khalifatul Masih by Sadr Anjuman Ahmadiyya Pakistan. The Secretary shall look after the office and administrative matters.²

Rule 8. The President or the Secretary must be present, at the meetings of the *Majlis Karpardaz*. In the absence of the President for any reason, the members then present shall appoint from among themselves a Chairman for the meeting.³

Rule 9. The quorum for any meeting of *Majlis Karpardaz* shall be three if the Committee consists of five members. If the Committee consists of more than five members the quorum shall be four.

Rule 10.

(a) It shall be the duty of *Majlis Karpardaz* to motivate the members of *Jama'at* Ahmadiyya for *Wasiyyat*.

(b) It shall be the responsibility of *Majlis Karpardaz* to implement the rules and regulations of *Wasiyyat* as approved by Hadrat Khalifatul Masih. The *Majlis* shall also see that these are implemented by all concerned.⁴

¹ Rule No. 220 Rules and Regulations of Sadr Anjuman Ahmadiyya Pakistan, Published in November 2001

² Rule No. 221 Rules and Regulations of Sadr Anjuman Ahmadiyya Pakistan, Published in November 2001

³ Rule No. 222 Rules and Regulations of Sadr Anjuman Ahmadiyya Pakistan, Published in November 2001

⁴ Rule No. 225 Rules and Regulations of Sadr Anjuman Ahmadiyya

Rule 11. It shall be the duty of *Majlis Karpardaz* to constantly remind the members of *Jama'at*, through articles and publicity in the newspapers, of the real spirit of *Wasiyyat* which is the faith, sincerity, righteousness and sacrifice; and also to keep on explaining that the financial aspect of *Wasiyyat* is only meant to signify the spirit of sacrifice and service to Religion and that what really matters is faith and righteous deeds.

Rule 12. *Majlis Karpardaz* shall ensure the safe custody of the *Wasiyyats* accepted by the Sadr Anjuman Ahmadiyya Pakistan and shall also keep copies thereof in safe custody in a separate place.

Rule 13. After the approval and acceptance of *Wasiyyat* it shall be the duty of *Majlis Karpardaz* to issue a certificate to the *Musi* concerned, in accordance with the terms of Appendix to booklet *Al-Wasiyyat*.

(Appendix to *Al-Wasiyyat* Clause 3)

Rule 14. It shall be the duty of *Majlis Karpardaz* to publish and provide for the guidance of *Musis* a booklet comprising all the necessary information about *Wasiyyat*.

Rule 15. It shall be the duty of *Majlis Karpardaz* to maintain a complete plan of the layout of graves of *Bahishti Maqbarah* and keep such plan safe in the office.

Rule 16. *Majlis Karpardaz* shall also carry out such other functions as may be assigned or entrusted to it by Hadrat Khalifatul Masih.

Rule 17. Subject to the Rules of *Wasiyyat*, the *Majlis Karpardaz* may, for the effective enforcement of the Rules, frame regulations relating to *Hissa Amad*, *Hissa Jai'dad*, payment of *Tarka*, burial, tombstones, lay-out of the graves and other administrative matters relating to *Wasiyyat* and *Bahishti Maqbarah* and enforce such regulations after the approval of Sadr Anjuman Ahmadiyya Pakistan.

Rule 18. For the achievement of aims and objects of *Wasiyyat* and the institution of *Wasiyyat*, *Majalis Musian* shall be set up in the local *Jama'ats* and such *Majalis* shall work under the guidance of the Secretary *Majlis Karpardaz*.

ELIGIBILITY AND QUALIFICATION FOR WASIYYAT

Rule 19. The prospective *Musi* must be a believer in the Promised Messiah in all his claims and must be a *Mubat' Ahmadi*.

Rule 20. An *Ahmadi* who has attained the age of majority (which is generally 15 years) shall be competent to make *Wasiyyat*. However when the legal age of majority differs from the age of majority prescribed by *Shari'ah* the *Wasiyyat* shall be renewed after the attainment of majority according to law of the land.

Rule 21. Every prospective *Musi* must be 'a God-fearing person must abstain from the prohibitions and must not indulge in any act that savours of *Shirk* or harmful innovation and should be simple and straight Muslim' and, 'to the best of his ability, should live in accordance with the Islamic Teachings and should strive in the ways of righteousness and purity a Muslim with Faith in Unity of Allah and true belief in His

Messenger — and should not transgress where the rights of others are concerned.'

(*Al-Wasiyyat* Condition 3 & Appendix to *Al-Wasiyyat* Clause 7)

Rule 22. A prospective *Musi* shall be required to bequeath through *Wasiyyat* a minimum of $1/10^{\text{th}}$ of all his *Jai'dad* for the objects of the *Jama 'at*.

(*Al-Wasiyyat* Condition 2, Appendix Clause 2)

Rule 23. If a prospective *Musi* has no property of his own but has some source of income he shall bind himself to pay at least $1/10$ of his monthly income to Sadr Anjuman Ahmadiyya Pakistan. Provided that when the income is derived quarterly, six-monthly or annually, he shall bind himself to pay at least $1/10$ of his such income quarterly, six-monthly or annually respectively.

(Resolution of the 'First Meeting' of Board of Directors of Sadr Anjuman Ahmadiyya Qadian held on January 29, 1906, Clause 6)

Rule 24. *Wasiyyat* may be made of a minimum of $1/10^{\text{th}}$ and a maximum up to $1/3^{\text{rd}}$ portion.

Rule 25. If a prospective *Musi* has both property as well as income the *Wasiyyat* shall apply to both property and income.

Rule 26. A prospective *Musi*, at the time of *Wasiyyat*, must not be in arrears of *Chanda 'Am*, nor must the arrears of any buried *Musi* be outstanding against him.

Rule 27. A prospective *Musi* must make his *Wasiyyat* while being sane, in good health and possessed of his senses. 'Death-bed' *Wasiyyat* shall not be permissible.

(*Al-Wasiyyat* Instruction No.1; Appendix Clause 2)

Note: Death bed ailment shall mean such serious illness in which there is a strong apprehension of death and during which ailment death does in fact occur.

(Resolution No. 5 Extraordinary of Sadr Anjuman Ahmadiyya Pakistan, dated 7 October 1984, Para No. 2)

Rule 28. It shall be obligatory for a prospective *Musi* to pay, in addition to the *Wasiyyat* amount, a contribution according to his financial status, for the maintenance of *Bahishti Maqbarah*, its garden, upkeep of the path and other incidental expenses. This contribution is known as *Chanda Shart Awwal* (contribution towards the First Condition).

(*Al-Wasiyyat* Condition 1)

Rule 29. In addition to paying *Chanda Shart Awwal* (Rule 28), a prospective *Musi* shall at the time of making his *Wasiyyat*, pay the expenses relating to the publication of notice of his *Wasiyyat*.

(*Al-Wasiyyat* Instruction 1, Appendix to *Al-Wasiyyat* Clause 2)

EXECUTION & COMPLETION OF WASIYYAT

Rule 30. A prospective *Musi* shall execute his *Wasiyyat* in the prescribed form as per the Specimen set out in Schedule A hereto. After completion in the prescribed manner, he shall forward his *Wasiyyat* through the Local *Jama'at* to Sadr Anjuman Ahmadiyya Pakistan for their acceptance.

Rule 31. Every *Wasiyyat* form shall be attested by at least two attestors.

Rule 32. Prior to the acceptance of *Wasiyyat* it shall be necessary to obtain verification of the moral and spiritual

standing of the prospective *Musi* from the Local *Amir*/President. In case of ladies it shall also be necessary to get verification from the local *Lajna Ima'illah*.

Rule 33.

(a) Every *Wasiyyat* must be attested according to *Shari'ah* by two major witnesses who should be preferably from among the heirs of the prospective *Musi*.

(Appendix to *Al-Wasiyyat* Clause 2, Minutes of 'First Meeting' of Board of Directors of Sadr Anjuman Ahmadiyya Qadian held on January 29, 1906, Clause 3(b).)

(b) 'The prospective *Musi* as well as the witnesses, whether literate or illiterate, shall in addition to affixing their signatures or stamps also affix their thumb impression. Those who are literate shall also sign. Men shall affix left-hand and women shall affix right-hand thumb impression.'

(Minutes of 'First Meeting' of Board of Directors of Sadr Anjuman Ahmadiyya Qadian held on January 29, 1906, Clause 3(c).)

(c) 'The prospective *Musi* shall, if he can, write his *Wasiyyat* in his own hand.'

(Minutes of 'First Meeting' of Board of Directors of Sadr Anjuman Ahmadiyya Qadian held on January 29, 1906, Clause 3(d).)

Rule 34. A prospective *Musi* shall also make the following declaration in the *Wasiyyat* Form:-

'I declare in accordance with law and *Shari'ah*, that whatever *Chanda* I may pay under this will, I shall do so for the sake of Allah alone and at no time shall I myself or any of my relatives or heirs be entitled to claim refund of my paid *Chanda*.'

(Resolution No. 6 Extraordinary of Sadr Anjuman Ahmadiyya Pakistan, dated 14 February 1996.)

Rule 35. At the time of granting approval to the *Wasiyyat* of a prospective *Musi*, in addition to considering the pre-*Wasiyyat* moral and spiritual conduct of the prospective *Musi*, due regard shall be paid to his pre-*Wasiyyat* financial state of affairs with a view to ensure that the element of outstanding financial sacrifice and the spirit and purpose of *Wasiyyat* is not in any way defeated.

Rule 36. After receipt of the *Wasiyyat* in his office, the Secretary *Majlis Karpardaz* shall obtain a detailed opinion from the Legal Adviser of Sadr Anjuman Ahmadiyya Pakistan as to the *Wasiyyat* validity etc. so that there is no error, defect or weakness in the said *Wasiyyat* which may prejudice or create any legal complication or difficulty on the recovery of any property or income which ensures under the *Wasiyyat*.

Rule 37. The Legal Advisor shall examine in detail every *Wasiyyat* in its entirety in the light of Rule 36 and suggest ways and means to remove the defects if any.

Rule 38. Before a *Wasiyyat* is placed for acceptance it shall be obligatory to have it published and notified in at least two newspapers.

(Appendix to *Al-Wasiyyat* Clause 2)

Rule 39. The Secretary *Majlis Karpardaz* shall be responsible to see that every *Wasiyyat* is finalised within six months of its execution, failing which he shall report the matter to *Majlis Karpardaz* with detailed reasons of such failure.

Rule 40. Having completed the formalities relating to attestation and legal advice and having satisfied itself in all respects the *Majlis Karpardaz* shall submit the *Wasiyyat* to Sadr Anjuman Ahmadiyya Pakistan for acceptance.

Rule 41. Sadr Anjuman Ahmadiyya Pakistan shall be competent to refuse acceptance of a *Wasiyyat* without assigning any reason thereof. The decision of Sadr Anjuman Ahmadiyya Pakistan shall in all respects be final.

Rule 42. *Majlis Karpardaz* shall, after due acceptance of *Wasiyyat*, issue a certificate to the *Musi* under its common seal and signature.

(Appendix to *Al-Wasiyyat* Clause 3)

Rule 43. Should a person desirous of making *Wasiyyat* meet a sudden death after having initiated proceedings of *Wasiyyat* though he may not have completed the prescribed form — his *Wasiyyat* may be considered for acceptance after death on the basis of reliable evidence, provided:

1. The deceased otherwise came up to all requirements of *Wasiyyat* and it can be expected if sudden death had not intervened there would have been no impediment in the acceptance of his *Wasiyyat*.
2. His heirs are willing and prepared to pay without delay *Hissa Wasiyyat* of his *Tarka*.
3. Circumstances do not suggest any negative possibilities such as:
 - a. Failure to advert to *Wasiyyat* for a long time despite having means
 - b. Mere expression of desire without taking any positive steps for a reasonably long period
 - c. Initiating proceedings of *Wasiyyat* at a time when a lesser financial sacrifice is involved
 - d. Having obvious blemish on some religious aspect like:
 - i. Negligence in saying prayers

- ii. Not coming upto high standard in payment of usual contributions
- iii. Slackness in contact and adherence to the organization of *Jama 'at* etc. etc.

(Vide Resolution No.1 Extraordinary dated 9 July, 1988 of Sadr Anjuman Ahmadiyya Pakistan)

PAYMENTS

Rule 44. Ordinarily *Wasiyyat* on property shall take effect after the death of the *Musi* and *Hissa Jai'dad* shall be payable on *Tarka*.

(*Al-Wasiyyat* Instruction No. 1)

Rule 45. Land owners that 'may, have some legal impediment in making a *Wasiyyat*, may make an outright gift of such portion of their property in their life-time as they would have liked to bequeath in *Wasiyyat* and have their gift deeds attested by their would-be heirs, if any, so as to signify their consent. It is essential that all such gift deeds are registered.'

(Resolution of 'First Meeting' of Board of Directors of Sadr Anjuman Ahmadiyya Qadian held on January 29, 1906, Clause 4)

Rule 46. 'If there be any legal impediment in even making such a gift under Rule 45, then, upto the extent to which it is intended to bequeath under *Wasiyyat* or donate by way of gift, the property may be assessed for its market value or be sold; and the assessed price or the sale price, as the case may be, shall be paid to *Majlis Karpardaz Masalih Qabristan*. However, in such a case, whenever a new property is acquired it shall be dealt with in the like manner.'

(Resolution of 'First Meeting' of Board of Directors of Sadr Anjuman Ahmadiyya Qadian held on January 29, 1906, Clause 5)

Rule 47. *Majlis Karpardaz* may in its discretion permit a *Musi* to have his entire property or a unit of his property assessed in prescribed manner and make payment of *Hissa Jai'dad* during his lifetime.

Rule 48. Ordinarily *Chanda Wasiyyat* shall be payable on the Cash *Tarka* of a *Musi*. However, if there be a statement by the *Musi* himself that on the Cash *Tarka* or a part thereof *Chanda Wasiyyat* has already been paid then his statement shall be conclusive and no *Chanda Wasiyyat* shall be recovered on that Cash *Tarka*. If there be no such statement of the *Musi* then the case will be decided on the report of the local *Jama 'at*.

Rule 49. (a) If a *Musi* makes a gift of his immovable property in favour of his heir or heirs under circumstances which make it appear like a testamentary disposition to such heir or heirs or which otherwise is likely to defeat the very spirit of *Wasiyyat*, then *Hissa Jai'dad* shall nonetheless be payable on such property and in the event of the *Musi's* death such property shall be treated as the *Musi's Tarka*.

(b) If a *Musi* makes a gift of his movable property, on which the payment of *Wasiyyat* is obligatory, in favour of his heir or heirs under circumstance which makes it appear like a testamentary disposition to such heir or heirs or which otherwise is likely to defeat the very spirit of *Wasiyyat*, then the *Hissa Wasiyyat* shall nonetheless be payable on such moveable property.

Rule 50.

(a) The entire proceedings with regard to the assessment of *Hissa Jai'dad* shall be carried out in prescribed manner by the

Nazim Tashkhis Jai'dad as representative of Sadr Anjuman Ahmadiyya Pakistan.

(b) The department of *Tashkhis Jai'dad* shall be under *Majlis Karpardaz Masalih Qabristan* and will function according to the Rules and Regulations of *Wasiyyat* as approved by Hadrat Khalifatul Masih.*

Rule 51. If income accrues from the property of the *Musi* then *Hissa Amad* shall be payable on such income at the rate of *Chanda 'Am* i.e. 1/16

Rule 52. Even though *Hissa Jai'dad* on a property has been paid in full, it shall be obligatory to pay *Hissa Amad* at the rate of *Chanda 'Am* on such income which may accrues from this property.

(Resolution No.4 Extraordinary of Sadr Anjuman Ahmadiyya Pakistan, dated 21 November 1993)

Rule 53. The *Musi* shall, after every five years, inform the office of the particulars of his property on the prescribed form.

Rule 54. If some accession is made to the property of the *Musi* by his heirs, which accession does not in fact vest in him, then the *Musi* shall:

- i. Inform the office and obtain prior permission.
- ii. Make a declaration that the specific accession in the property shall not be distributed amongst his heirs on his death.

* Rule No. 224 Rules and Regulations of Sadr Anjuman Ahmadiyya Pakistan, Published in November 2001

- iii. So far as possible, obtain the signatures of his heirs on such declaration.

Rule 55. *Hissa Amad* shall be payable on the commuted amount of Pension and it shall be obligatory for the *Musi* to make payment of such *Hissa Amad* in lump sum. If, however, owing to some pressing circumstances, he is unable to do so, he shall, in the prescribed manner, seek permission and extension of time from *Majlis Karpardaz*.

Rule 56. In the case of a *Musi* who dies during his service, the financial assistance provided to his family commonly known as gratuity or family pension, shall not be treated as his *Tarka* and *Hissa Wasiyyat* shall not be payable on it.

Rule 57. The amount of any group insurance received on the death of a *Musi* shall not be treated as his *Tarka* if the premium of such insurance has been paid by the Government or the concerned organisation.

Rule 58. In case of a group insurance where the premium has been paid through deductions from the salary of the *Musi*, *Hissa Wasiyyat* shall be payable to the extent of insurance premium deducted, unless the *Musi* in his lifetime has been paying *Hissa Wasiyyat* on his gross salary inclusive of the premium deductions.

Rule 59. Such part of the Provident Fund on which *Hissa Wasiyyat* has not been paid and the Provident Fund is paid to the survivors, after *Musi's* death, shall be treated as *Musi's Tarka* and *Hissa Wasiyyat* shall be payable thereon.

Rule 60. Remission of the arrears of *Wasiyyat* dues cannot be granted under any circumstances.

Rule 61. If, God forbid, the property of a *Musi* is destroyed or is substantially damaged due to some natural calamity,* *Majlis Karpardaz* shall take such factors into account while making a decision about *Hissa Jai'dad*.

CANCELLATION AND RESTORATION OF WASIYYAT

Rule 62. Sadr Anjuman Ahmadiyya Pakistan shall be competent to cancel the *Wasiyyat* of a *Musi* without assigning any reason and the decision of Sadr Anjuman Ahmadiyya Pakistan shall be final under all circumstances.

Rule 63. The *Wasiyyat* of any person who has been turned out of the Organisation of *Jama'at* as punishment shall be deemed to have been cancelled.

Rule 64. The *Wasiyyat* of any person who defects from the Organisation of the *Jama'at* shall be deemed to have been cancelled.

Rule 65. 'Where a person makes a *Wasiyyat* but later, from some weakness of his faith, goes back on his *Wasiyyat* or turns away from the Ahmadiyya Community, then even though the Anjuman might have under law taken possession of the property in question, it shall not be permissible for the Anjuman to retain possession thereof. Instead, all such

* Force majeure.

property shall be returned, for Allah does not stand in need of any one's property and in His sight all such property is loathsome and deserves to be rejected.'

(Appendix to *Al-Wasiyyat* Clause 12)

EXPLANATION: Under this rule property means such immovable property which in its original form is in possession of the Sadr Anjuman Pakistan. It does not mean *Hissa Amad* or *Hissa Jai'dad* paid in cash, because such amounts are simultaneously utilized for the purposes of *Wasiyyat* and these amounts are under no circumstances refundable.

Rule 66. The *Wasiyyat* of a *Musi*, who is unable to continue his *Wasiyyat* for lack of means shall, upon his request, be cancelled.

Rule 67. Upon receiving information that a *Musi* has lost his mental balance, is no longer in possession of his senses and commits acts in clear violation of *Shari'ah*, the Sadr Anjuman Ahmadiyya Pakistan, after verifying the reports may cancel the *Wasiyyat* of such a *Musi*.

(Resolution No.6 Extraordinary of Sadr Anjuman Ahmadiyya Pakistan, Dated 24 January 1993)

Rule 68. Sadr Anjuman Ahmadiyya Pakistan, shall be competent to cancel, on the recommendation of *Majlis Karpardaz*, the *Wasiyyat* of a *Musi* who fails to pay *Chanda Hissa Amad* for six months from the date when it falls due and does not get extension from the office showing cause of his inability.

Rule 69. It shall be obligatory for every *Musi* to submit to the *Wasiyyat* office, at the end of every year, a declaration, as set out in Schedule C, in respect of his payments towards *Hissa Amad*. In case such a declaration is not received, Sadr Anjuman Ahmadiyya Pakistan, after giving necessary warning, is entitled to declare the *Musi*, a defaulter, and shall take necessary disciplinary measures, which may also lead to the cancellation of his *Wasiyyat*.

Rule 70. Administering warning shall not be necessary for cancellation of *Wasiyyat* in every case. However, if cancellation of *Wasiyyat* is contemplated under rule 68 then generally at least one warning shall be administered.

Rule 71. The *Wasiyyat* of such *Musi* heirs, who fail to pay according to their undertaking the arrears of buried *Musis* and, who do not upon showing cause, get extension of time shall be cancelled.

Rule 72. A *Musi*, whose *Wasiyyat* has been cancelled by Sadr Anjuman Ahmadiyya Pakistan, shall not be eligible to be an office-bearer of the *Jama'at*.

Rule 73. The restoration of a *Wasiyyat* cancelled under Rule 63 may be considered after remission of the punishment, upon the application of the person concerned. In such a case it shall be necessary to pay *Chanda Hissa Amad* for the intervening period.

Rule 74. If a person whose *Wasiyyat* has been cancelled under Rule 64 re-initiates* and makes a new *Wasiyyat* it may be considered according to Rules.

Rule 75. Restoration of a *Wasiyyat* cancelled under Rule 66 may be considered on the application of the *Musi* on the same terms and conditions as are applicable for new *Wasiyyat*. It shall further be necessary that:

- i. He pays up the arrears of *Chanda Wasiyyat* due at the time of cancellation.
- ii. He has been regularly paying *Chanda 'Am* at prescribed rate during the period his *Wasiyyat* remained cancelled.
- iii. He pays difference of paid *Chanda 'Am* and due *Hissa Amad* for the period of cancellation.

Note:- If, due to certain circumstances, the concerned person is unable to get his *Wasiyyat* restored, his application for a new *Wasiyyat* may be considered by *Majlis Karpardaz*. In such a case the compliance of clause (iii) of the aforementioned clauses shall not be necessary.

(Resolution No.11 Extraordinary of Sadr Anjuman Ahmadiyya Pakistan, Dated 13 April 1989)

Rule 76. The restoration of a *Wasiyyat* cancelled under Rule 67 may be considered on the recovery to health of the *Musi* concerned, upon his application.

Rule 77. The restoration of a *Wasiyyat* cancelled under Rule 68 shall only be considered if the entire arrears of *Hissa Amad* is fully paid. The payment of only *Chanda 'Am* during the period

* Re-initiation means the person concerned pledges fresh allegiance by performing *Bai 'at*.

of cancellation shall not be enough; the difference of paid *Chanda 'Am* and due *Hissa Amad* for the period of cancellation shall also have to be paid. For the restoration of the *Wasiyyat* all such conditions shall be fulfilled as are provided for a new *Wasiyyat*.

BURIAL AND MEMORIAL STONES

Rule 78. (a) *Musis* shall be buried in *Bahishti Maqbarah* with the approval of Khalifatul Masih. In case of Khalifatul Masih's absence from *Markaz*, this sanction shall be given by *Nazir-e-Ala*.¹

(b) On the death of a *Musi*, when his dead body is brought for burial in *Bahishti Maqbarah* the following procedure shall be adopted:-

- (i). The time of death of the deceased shall be ascertained from the heirs and recorded on the file.
- (ii). If there is some impediment in burial of the dead body in the *Bahishti Maqbarah*, and the dead body is likely to decompose before the decision is made, it shall be subjected to a proper medical examination. If upon such examination immediate burial is considered necessary, the dead body shall be buried as *Amanat* in the common graveyard.
- (iii). For the purpose of the medical examination under clause (b)(ii) above the Chief Medical Officer *Fadl-e-*

¹ Rule No. 223 Rules and Regulations of Sadr Anjuman Ahmadiyya Pakistan, Published in November 2001

'Umar Hospital shall, on the request of Secretary *Majlis Karpardaz*, cause the dead body to be examined without delay and submit a written report clearly stating the condition of the dead body and as to how long the burial can be deferred.

Rule 79. 'The corpse of such person who has not died in Qadian (Rabwah) shall not be brought to Qadian (Rabwah) save in a coffin.' (Appendix to *Al-Wasiyyat* clause 5)

Rule 80. Unless hereinafter excepted, the burial of a *Musi* in the *Bahishti Maqbarah* shall be carried out only after the full payment of *Hissa Wasiyyat*, failing which, the dead body shall be buried as *Amanat* in any other graveyard and the dead body shall be transferred to *Bahishti Maqbarah*, in accordance with the rules, after the payment of *Hissa Wasiyyat* has been made.

EXCEPTION: If *Hissa Jai'dad* of a *Musi* has not been paid in full, he may be buried in *Bahishti Maqbarah* upon furnishing of such dependable security which *Majlis Karpardaz*, in its discretion, considers to be a substitute for cash payment.

Explanation: (a) This relaxation shall apply only to *Hissa Jai'dad*. The arrears of *Hissa Amad* shall have to be cleared immediately.

(b) Dependable security may include a personal guarantee provided it is furnished by two *Musis* of status acceptable to *Majlis Karpardaz* and who have means of paying secured amount and both the guarantors severally undertake to pay the total amount within a specified period not exceeding one year.

Rule 81. If upon the death of a *Musi* he has been buried as *Amanat* for non-payment of *Hissa Wasiyyat* it shall be

obligatory for his heirs to pay *Hissa Jai'dad* and other *Wasiyyat* dues from his *Tarka*, within a period not exceeding one year; otherwise the deceased *Musi's Wasiyyat* shall be deemed to have been cancelled. However, in exceptional circumstances, the *Majlis Karpardaz*, having considered such circumstances, may grant reasonable extension.

Rule 82. The inscription on the tombstone, to be erected on the grave of a *Musi*, may include the following particulars appropriately worded:

- i. Name-of the *Musi*
- ii. Date of death
- iii. Date of Initiation
- iv. Age (at the time of death)
- v. Date of *Wasiyyat*
- vi. If the *Wasiyyat* is for more than 1 / 10th, mention of that fact.
- vii. Any distinction achieved, a brief account of services rendered and related facts.
- viii. Citation of any observations of appreciation made by the Promised Messiah or his revered *Khulafa*.

Rule 83. A *Musi* shall be buried in *Bahishti Maqbarah* at the site assigned by the Office.

Rule 84. No one shall be entitled to have a particular site in *Bahishti Maqbarah* reserved for his grave or grave of any of his relatives.

Rule 85. For the purpose of burial of a *Musi* in the block laid out for the 'Companions' of the Promised Messiah, the word 'Companion' of the Promised Messiah shall mean a person who had physically seen the Promised Messiah while his father, mother or guardian, as the case may be, was a believer

in the Promised Messiah and his age, in 1908, at the time of Promised Messiah's death was not less than twelve years.

(Resolution No.371 Informal of Sadr Anjuman Ahmadiyya Pakistan, Dated 26 June 1989)

Rule 86. If a *Musi* has been buried as *Amanat* at some other place, his corpse may be exhumed and transferred to *Bahishti Maqbarah* after the expiry of not less than six months period. For this purpose it shall be necessary to obtain permission from *Nazarat Bahishti Maqbarah* at least one month prior to such shifting. No such corpse shall be brought without obtaining such permission.

(Appendix to *Al-Wasiyyat* Clause 5)

Rule 87. 'If a person who has made out a *Wasiyyat* and has fulfilled all conditions laid down in the booklet *Al-Wasiyyat*, God forbid, dies of plague the mandatory direction is that his corpse shall be buried in a coffin as *Amanat* at some other place for two years, where after the coffin containing the corpse shall be brought at such a time when there is no plague either at the place of death or in Qadian (Rabwah).'

(Appendix to *Al-Wasiyyat* Clause 6)

Rule 88. If a person making *Wasiyyat* according to the booklet *Al-Wasiyyat*, God forbid, be a leper whose physical condition is not fit to be brought to *Bahishti Maqbarah* then obviously it shall not be proper to bring his corpse to the *Bahishti Maqbarah*. But if he remains firm on his *Wasiyyat* his reward shall be equal to that of the one who is buried in *Bahishti Maqbarah*.

(Appendix to *Al-Wasiyyat* Clause 17)

Rule 89. Should a *Musi* 'die under circumstances such as by drowning in a river' or for some other reasons 'it is not possible

to transport his dead body, his *Wasiyyat* shall nonetheless remain valid', provided that he has fulfilled all the conditions of *Wasiyyat*; 'and in the sight of Allah such a person shall be as though he were buried in the *Bahishti Maqbarah*; and it would be permissible to erect a stone in his memory in the *Bahishti Maqbarah*.'

(Appendix to *Al-Wasiyyat* Clause 8)

Rule 90. Prior permission of *Majlis Karpardaz* shall be necessary for any inscription on a tomb-stone other than the usual ones.

Rule 91. The case for burial of a non-*Musi* in *Bahishti Maqbarah* as prescribed in the booklet *Al-Wasiyyat* and clause 18 of appendix thereof, may be submitted to Hadrat Khalifatul Masih by the unanimous recommendation of Sadr Anjuman Ahmadiyya Pakistan.

The aforementioned condition of Booklet *Al-Wasiyyat* reads thus:

‘Every righteous person who possesses no property whatsoever and cannot render any financial service may be buried in this Graveyard, if it be established that he lived a life devoted to the cause of the Religion and was a righteous man.’

Clause 18 of Appendix to booklet *Al-Wasiyyat* reads thus:

‘If a person possesses no movable or immovable property and yet it is proved that he is a righteous dervish, a God-fearing and a true believer with no element of hypocrisy or love of this world or shortcoming in his submission, may be buried in this graveyard with my permission or after me with the unanimous opinion of the Anjuman.’

MISCELLANEOUS

Rule 92. 'Should any litigation become necessary for the enforcement of *Wasiyyat* all expenses in this respect shall be met out of the *Wasiyyat* funds.'

(Appendix to *Al-Wasiyyat* Clause 11)

INTERPRETATION, EXPLANATION, AMENDMENT AND REPEAL

Rule 93. The booklet *Al-Wasiyyat*, by the Promised Messiah, Instructions dated 20 December 1905, Appendix to booklet *Al-Wasiyyat* and the Minutes of the First Meeting of the Board of Directors of Sadr Anjuman Ahmadiyya dated 29 January 1906, shall be treated as the basic documents for the interpretation and explanation of these *Wasiyyat* Rules. It shall not be permissible to adopt a construction which is in any way in conflict with the basic documents.

Rule 94. The *Wasiyyat* Rules may be amended, repealed or added to under the direction or with the approval of Hadrat Khalifatul Masih.

SPECIMENS OF THE APPLICATION FORMS FOR WASIYYAT AND ATTESTATION

According to Schedule "A" and "B" under Rule No. 30, 31, 32.

In the Name of Allah, the Gracious, the Merciful
We render praises to Him and invoke His blessings on his noble Prophet.

Missal Number	For Office Use only	Wasiyyat Number								
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I.....son/daughter of.....wife of

Cast Occupation* Date of birth/Age Date of *Bai'at*

Current Address..... Country

Permanent Address Country

Essential Note: * [Please clearly mention the kind and nature of Occupation/Profession, e.g. Govt., Semi-Govt., Private; Business/Trade; In case of students, class/course should also be stated].

In full possession of my faculties, and without any duress or coercion, on the.....day ofof the year.....do hereby make the following *Wasiyyat* (Will):-

1. I am a follower of Hadrat Mirza Ghulam Ahmad^{as}, of Qadian, District Gurdaspur, Punjab, the Promised Messiah and Founder of the Ahmadiyya Movement, and sincerely believe in all his claims. I have read completely / have had read out to me, and have understood perfectly the booklet entitled *Al-Wasiyyat* bearing the date of December 24, 1905, and appendix to the same, dated January 06, 1906, and the minutes of the First Meeting of the Board of Directors of *Sadr Anjuman Ahmadiyya*, Qadian, held on January 29, 1906, as approved by the Promised Messiah. I hold all the instructions contained therein fully binding upon me, and in the light thereof I desire that after my death my body should be taken to the *Bahishti Maqbarah*, Qadian for burial, provided permission is granted to me or, after my death, to my heirs by *Majlis Karpardaz Masalih Qabaristan*. If I fail to deposit in advance in the treasury of *Sadr Anjuman Ahmadiyya* Pakistan, Rabwah an adequate sum of money to cover expenditure to be incurred in transporting my remains, the same should be deducted from my estate. Such expenses will not be debited to the portion of my estate assigned by this Will to the *Sadr Anjuman Ahmadiyya* Pakistan, Rabwah.

2. In addition to *Al-Wasiyyat*, all instructions and directives issued by Hadrat Khalifatul Masih^{at}, or by *Sadr Anjuman Ahmadiyya* Qadian, or by *Sadr Anjuman Ahmadiyya* Pakistan Rabwah, or by the *Majlis Karpardaz Masalih Qabaristan Qadian/Rabwah* in connection with *Bahishti Maqbarah* or relating to *Musi* s, shall, to the extent that they relate to this Will, be binding on me and my heirs.

3. This Will of mine, which is my last Will, shall remain valid and effective, whether my remains are buried in *Bahishti Maqbarah* or not.

4. I, do hereby agree, declare and bind myself according to law and *Shari'ah* that under no circumstances whatsoever and at no time shall I or my heirs be entitled to claim refund of any payments made under this Will as *Chanda Wasiyyat* or claim return of *Hissa Jai'dad*.

5. I have paid according to my means a sum of as subscription due under the *first condition* and another sum of on account of expenses for announcing the *Wasiyyat*, vide receipt No..... dated at local *Jama'at* /treasury of *Sadr Anjuman Ahmadiyya* Pakistan Rabwah.

Note: The Prospective *Musi* should write out here his income, details of his property, and rate of *Washiyyat*. Nothing written here should be doubtful, overwritten or questionable, and should be written clearly and not in different pens or inks.

"I hereby make a Will that *Sadr Anjuman Ahmadiyya* Pakistan, Rabwah shall be the owner of 1/ portion of my entire movable and immovable property which I may leave behind at the time of my death. The detail of my present movable and immovable property is given below alongwith its present value / at present I own no property whatsoever.

At present I receive per month/year as..... and my income from property is..... per year. I promise to pay 1/..... of my monthly/annual income to *Sadr Anjuman Ahmadiyya* Pakistan, Rabwah during my life. Moreover, if I acquire any property or income after this, I shall inform *Majlis Karpardaz* about it, and my *Wasiyyat* shall apply to that property/income as well. I promise to pay *Hissa Amad* at the rate of Chanda 'Am on any income from my property to *Sadr Anjuman Ahmadiyya* Pakistan, Rabwah, as long as I live according to the rules. My *Wasiyyat* should be considered binding from the date of writing / date of acceptance."

Signature & thumb impression
of Witness

Signature & thumb impression
of Applicant

Signature & thumb impression
of Witness

Name:..... Name:..... Name:.....

Father's name:..... Father's name:..... Father's name:.....

Complete Address:..... Complete Address:..... Complete Address:.....

.....
.....

Essential Note:- The prospective *Musi* as well as the witnesses, whether literate or illiterate, shall, affix their thumb impressions. Those who are literate shall also sign in addition to thumb impression. Men shall affix left-hand thumb impression and ladies shall affix right-hand thumb impression.

ATTESTATION

1. I truly and honestly certify that, to the best of my knowledge:-

The prospective *Musi* (Name)..... Son/Daughter/Wife of

resident of..... to the best of his ability lives in accordance with the Islamic Teachings and strives in the ways of righteousness and purity. He/She is a Ahmadi with faith in Unity of Allah and true belief in His Messenger^{saw}; and does not transgress the rights of his/her fellow human beings.

2. The entries made by the prospective *Musi* in the *Wasiyyat* form in respect of his/her property and income are correct.

Signature of Attestator (1)

Signature of Attestator (2)

Signature of Sadr *Lajna* (only in case of woman)

Name:..... Name:..... Name:.....

Father's name:..... Father's name:..... Father's name:.....

Complete Address:..... Complete Address:..... Complete Address:.....

.....
.....

ATTESTATION OF PARTICULARS OF PROSPECTIVE *Musi*

	<i>Questions</i>	<i>Answers</i>
1.	Name of the prospective <i>Musi</i> with father's/ husband's name.	
2.	Can he/she be considered outstanding in his/her services to the <i>Jama'at</i> and his/her obedience, co-operation and respect for the <i>Jama'at</i> and its organization?	
3.	Does he/she display visible interest and co-operation in activities of the Auxiliary Organizations?	
4.	Has he/she ever been subjected to any punitive action? If so please clearly state the nature of action.	
5.	Has his/her <i>Wasiyyat</i> ever been cancelled or rejected before.	
6.	Whether she abides by the Islamic injunctions and spirit of ' <i>PURDAH</i> '? In case of prospective <i>Musi</i> having wife and children, do his wife and daughters (if any) abide by the Islamic injunctions and spirit of ' <i>PURDAH</i> '?	
7.	Does he/she enjoy a character free of blemish or blame in financial matters / dealings?	
8.	Is the matrimonial life of the spouses in accord with the Ahmadiyya Teachings?	
9.	Can the prospective <i>Musi's</i> livelihood / profession be termed as objectionable socially or in terms of <i>Shari'ah</i> ?	
10.	Has he/she transferred any property to spouse, children or any other person, prior to undertaking of this Will either as a gift or as a bequest, inheritance or testamentary disposition? If so, please mention the details of such property and the dates of its transfer etc.	
11.	Judged from the family's existing standard of living, what are the approximate average monthly expenses per head incurred on food, clothing and other general amenities?	
12.	Is there any property purchased by the prospective <i>Musi</i> in the name of any of his/her children, relative or friend? If so, give its details along with its value.	

	<i>Questions</i>	<i>Answers</i>
13.	Provide details of any property of the prospective <i>Musi</i> which he/she inherited from his/her parents/children or spouse. Has such a property been included in the list of the property stated in this <i>Wasiyyat</i> ? If not, give explanation?	
14.	Is the spouse/father/mother of the prospective <i>Musi</i> a <i>Musi</i> ?	
15.	If the age of the prospective <i>Musi</i> is 60 years or above then state:- a) What has been his/her maximum income per month or per annum? b) Why did he/she not undertake the <i>Wasiyyat</i> earlier?	
16.	Is the prospective <i>Musi</i> undertaking this <i>Wasiyyat</i> in a fair state of health?	
17.	Do the children of the prospective <i>Musi</i> financially assist him/her? If so how much?	
18.	Number of dependents of the prospective <i>Musi</i> .	

Note: Each question should be answered clearly. Writing merely yes or no is not sufficient.

CERTIFICATE ABOUT CHANDA JĀT

1. Certified that the prospective *Musi* has been regularly paying the obligatory *Chandas* in this *Jama'at* since..... according to the prescribed rate and there are no arrears due from him / her. Moreover, he/she actively participates, to the best of his/her ability, in other financial schemes and *Chanda Jāt*, relating to auxiliary organization.

2. We, the members of the *Majlis-e-Amila*, do hereby certify that the above particulars are correct to the best of our knowledge and that the prospective *Musi* is eligible for inclusion in the Institution of *Wasiyyat*.

Signature of *Amir*/ president
of the local *Jama'at*

Signature of Secretary *Māl*
of the local *Jama'at*

Signature of Head of
the Auxiliary Organization

Name of Secretary *Māl* _____ Address of Secretary *Māl* _____

INSTRUCTIONS FOR THE PROSPECTIVE MUSI/S

1. Before committing the *Wasiyyat* (Will) to writing, please read or have read out to you the Promised Messiah's booklet *Al-Wasiyyat* and the Appendix thereto and Minutes of the First Meeting of Board of Directors *Sadr Anjuman Ahmadiyya* Qadian held on January 29, 1906 duly verified by the Promised Messiah. The foremost condition of *Wasiyyat* is that the prospective *Musi* must be righteous, obedient to the laws of *Shari'ah*, one who gives precedence to the faith over worldly affairs, and must be a clean, pure and pious Ahmadi.
2. The *Wasiyyat* is to be executed in good health. A 'death-bed' *Wasiyyat* shall not be accepted.
3. A *Wasiyyat* which includes immovable property should, as far as possible, be attested by the heirs/partners of the prospective *Musi*.
4. The *Wasiyyat* made by a married woman must be witnessed by her husband if he is alive. The *Haq Mahr** is also part of a woman's property to be included in *Wasiyyat*. It should also be specified whether *Haq Mahr* has been received or is still due from the husband. The details of jewellery (type, weight and estimated value) should also be given. The monthly income of her husband should also be mentioned and, if he is a *Musi*, his *Wasiyyat* number should be given.
5. If some immovable property is included in a *Wasiyyat*, such property should better be officially registered in the name of the *Musi*. *Musis*, who find it difficult to execute *Wasiyyat* due to legal restriction, can transfer as gift, their property to *Sadr Anjuman Ahmadiyya* Pakistan Rabwah during their lives. And they should send a copy of the legal documents of gifted property to *Sadr Anjuman Ahmadiyya* Pakistan. And if there is any complication in gifting the property, then all the property present at the time of *Wasiyyat* and its location etc. should be written in the *Wasiyyat* form including its market value. The value should be evaluated under the supervision of the local *Anjuman* and, a separate certification should be included from the local president verifying that the value of the property mentioned is true. Moreover, it should also be verified that the prospective *Musi* does not have any other property.
6. It will be required of every *Musi* to pay *Chanda Hissa Amad* at the rate of *Chanda 'Am* at the income of his/her property and he/she should also pledge to pay *Hissa Amad* at monthly income in addition to the above and should do so every month. Moreover it will be the duty of every *Musi* to declare his/her annual income according to Schedule 'C' to the office of *Bahishi Maqbarah* (in case of person residing outside Pakistan the *Wasiyyat* form should be forwarded to *Wakilul Mal Il Tahrir-e-Jadid Anjuman Ahmadiyya* Pakistan Rabwah.
7. The payment of *Hissa Amad* will be due from the date that the applicant applied for i.e date of writing of *Wasiyyat* /date of acceptance, even though the Certificate may be given later.
8. Any *Musi* who does not pay the *Chanda Wasiyyat* after it is due for six months or stops payment after once start paying it and does not inform Office of *Majlis Karpardaz Masalih Qabristan* Rabwah of reasons, and does not seek permission for a relaxation, his/her *Wasiyyat* will be considered for cancellation.
9. *Sadr Anjuman Ahmadiyya* Pakistan will have the right not to accept a *Wasiyyat* or to cancel a *Wasiyyat* after it has been approved without giving reasons, and the decision of *Sadr Anjuman Ahmadiyya* Pakistan will be final.

UNDERTAKING OF THE HUSBAND IN CONNECTION WITH HAQ MAHR *

I undertake to pay to *Sadr Anjuman Ahmadiyya* Pakistan Rabwah the portion of *Wasiyyat* from the *Haq Mahr* of my wife (Name) The *Haq Mahr* amount is My present monthly / yearly income is

Signature of Witness(1)Signature of HusbandSignature of Witness (2)

Name:.....

Name:.....

Name:.....

Father's name:.....

Father's name:.....

Father's name:.....

Complete Address:.....

Complete Address:.....

Complete Address:.....

* Dowry given by the groom to the bride.

REGULATIONS OF MAJLIS KARPARDAZ

INCOME

- (A) Income means all kinds of Income, derived from various sources. Every *Chanda*-paying member shall pay his *Chanda* at the prescribed rate in keeping with the demands of *Taqwa* and the verdict of his faith and conscience. House rent and miscellaneous expenses of similar nature are not to be deducted from Income for the purposes of *Chanda*. However, Travel allowances (T.A. & D.A.) paid to perform professional or official duties are exempt from being included into Income. However, it is commendable, if some one pays *Chanda* on any savings from such allowances.
- (B) "If a *Chanda*-paying member finds it difficult to pay *Chanda* or to pay it at the prescribed rate, he can seek full or partial remission from Hadrat Khalifatul Masih, by submitting an application through *Amir Jama'at*, stating reasons. Those who are permitted to pay *Chanda* at reduced rates shall remain eligible to vote in any election; but it will be essential to obtain prior permission from *Markaz* before appointment or election of such persons at responsible offices. This is because, an Office-bearer who lags behind in financial sacrifices may not become an example for others to follow.
- Note:** This relaxation does not apply to *Chanda Wasiyyat*. In case a *Musi* is unable to pay *Chanda* at

the prescribed rate he had better, get his *Wasiyyat* cancelled on account of extreme hardship.

- (C) If some definite evidence comes to the knowledge of *Jama'at* about a *Musi*, indicating that he/she has declared his/her income wrongly and that, being a *Musi* such a deed on his/her part demands disciplinary action, the case of such a person shall be presented, along with relevant evidence, to *Majlis Karpardaz* for consideration.

Note:-

(i) A person who has obtained permission to pay *Chanda 'Am* at a reduced rate must, pay *Chanda* at the full rate for at least a year, before applying for *Wasiyyat*.

(ii) A person who has obtained full exemption from the payments of *Chanda 'Am* in previous years must, pay *Chanda* at the full rate for at least two years, before applying for *Wasiyyat*.

(iii) **MINIMUM INCOME:-** Since extraordinary sacrifice is expected of a *Musi*, an assessment should be made of the minimum income that is required for subsistence in a particular country. This minimum income should be taken into account when the *Wasiyyat* is considered for approval.

- (D) If income of a family (either in the form of salary or allowance) depends on the number of the members of the family or is paid according to a fixed percentage or formula based on head of the family, his wife and children, e.g. social allowance given by the government or the allowance paid to a missionary by the *Jama'at*, then the total of such salary or allowance

will be deemed to be the income of the head of that family himself on which he shall pay the subscription according to the prescribed rate.

However, such allowance which is paid to a child by the government for a specified purpose and the parents receive or keep that allowance merely being his guardians and the money is actually spent on that specified purpose for which the allowance is actually given, then on such an allowance father or mother are not required to pay any *Chanda*.

- (E) Professional people and persons doing any business are to pay *Chanda* on their net income, which is to be determined after deducting from their gross income only such expenses as are required to generate income. It is not proper to pay *Chanda* only on the sums drawn from business, to meet personal monthly expenses.
- (F) Student scholarships/stipends will not be subject to *Chanda* at the prescribed rates. However students are expected to get a sum fixed after consultation with the *Jama'at* and pay their *Chanda* accordingly.

(G) (i). **CHANDA ON LOAN/DEBT:**

If a member has no source of income and his livelihood depends solely on loan/debt, then he would pay *Chanda* even on such a loan/debt. However, when he pays back his loan/debt, he will pay his *Chanda* on his Income after deducting the amount of loan/debt, he has paid back.

(ii). **REPAYMENT ON MORTGAGE / LEASE AMOUNT:**

If a *Chanda*-paying member acquires any property on Mortgage/Lease, the amount of installment paid back

will not be deducted from his/her income. *Chanda* will be payable on his/her total income.

(H) MUSIS NOT HAVING THEIR OWN SOURCE OF INCOME:

- (i). The procedure usually followed for the payment of *Chanda Wasiyyat* by a woman not having her own source of Income is, that the husband should fix an appropriate amount as pocket money that would be considered the Income of such a woman and she, for the sake of maintaining the continuity of her financial sacrifice, will pay *Chanda Wasiyyat* on her pocket money.
- (ii). Women are required to pay *Chanda* according to their living standard. The sacrifice made by a *Musi* should stand out as compared to the sacrifice made by a person paying *Chanda 'Am*.

EXEMPTIONS:

A *Chanda* payer's Income includes every kind of income. However, any allowance received by an employee, which he cannot spend at his sole discretion, is exempt from inclusion into his/her income. Similarly, Government's dues, viz. taxes, local rates, land revenue, compulsory insurance etc., which are levied under Government orders may be deducted from Income. Likewise, Uniform allowance, Educational allowance for children, are exempt for the purposes of *Chanda*.

Note: House Rent and miscellaneous expenses of similar nature are not allowed to be deducted from Income for purposes of *Chanda*.

SPECIMEN FORM FOR THE DETAIL OF PAYMENTS OF HISSA AMAD*Schedule Form " C (a) " For the Detail of Payments of Chanda Hissa Amad under Rule No. 69*

Office of Nazarat Bahishti Maqbarah
Sadr Anjuman Ahmadiyya Pakistan, Rabwah, District Chiniot, Pakistan

NAME: _____

WASIYYAT NO. _____

ADDRESS: _____

FISCAL YEAR: _____

DATE OF PRINT: _____

RATE OF WASIYYAT: _____

Month	Payment of Hissa Amad	Payment of Hissa Amad @ Chanda Aam	Receipt No. and Date of Payment	Remarks
July				
August				
September				
October				
November				
December				
January				
February				
March				
April				
May				
June				
Total				

**SPECIMEN FORM FOR THE DECLARATION REGARDING PAYMENTS
OF HISSA AMAD**

Schedule Form 'C' Verification Regarding Hissa Amad Under Rule NO. 69

DECLARATION / VERIFICATION REGARDING PAYMENTS OF CHANDA HISSA AMAD *SCHEDULE C*

'I pray to Almighty Allah that He may be pleased to make this place a graveyard for such of my followers who in word and deed have really dedicated themselves to His cause, and in whose affairs there is no taint of love of this world. Amen O Lord of the worlds!' (Al-Wasiyyat)

To
The Secretary
Majlis Karpardaz,
Sadr Anjuman Ahmadiyya, Pakistan Rabwah

Wasiyyat No.

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I have received the details of payments made by me towards Hissa Amad during the fiscal year.....

It is submitted that: -

- a) I have read all the instructions set out on the back of this form and after tick marking (✓) every source of my income, I have duly signed it; and
- b) I state the following **declaration**: -

1. The account of my payment that you have sent me is correct; and my total payment amounts to _____
- a) Being regardful of the requirements of Taqwa, I verify that, by the grace of the Almighty Allah, I have fully paid as per rules all the due Chanda Hissa Amad _____ on my total income as derived from different sources. Furthermore, my total payment amounting to _____ includes an extra sum of _____ which is the payment of my past dues / which I have paid in excess intentionally.

OR

- b) Comparing the statement of my payments sent by you with Hissa Amad payable by me, a sum of _____ remains still due**
- Which I have now paid vide receipt no. _____ dated _____ / which I shall (*Insha Allah*) pay within _____ months and shall inform WAKIL-UL-MAL (II) through Amir Jama'at.

OR

2. The account of my payments sent by you is incorrect. My payments towards Hissa Amad have not been recorded fully. My total payments as shown by you are _____ whereas, actually my total payments are _____
- Detail of payments, along with receipt nos. of local Jama'at, is enclosed herewith. Please rectify accordingly. Furthermore, my total payment amounting to _____ includes an extra sum of _____ which is the payment of my past dues / which I have paid in excess intentionally.
- a) Being regardful of the requirements of Taqwa, I verify that, by the grace of Allah, I have fully paid as per rules all the due Chanda Hissa Amad and Hissa Amad @ Chanda 'Am on my total income as derived from different sources.

OR

- b) Comparing due Hissa Amad payable by me with the statement of my payments (which is enclosed) a sum of _____ remains still due**
- Which I have now paid vide receipt no. _____ dated _____ / which I shall (*Insha Allah*) pay within _____ months and shall inform WAKIL-UL-MAL (II) through Amir Jama'at.

**** Detail of Chanda remaining due**

During the Year _____

Hissa Amad @ Wasiyyat (1/10 or 1/_____) _____

Hissa Amad @ Chanda 'Am (1/16) : _____

TOTAL ARREARS: _____

Yours sincerely,

(Signature of Musi/Musiah with Date)

Name of Musi/Musiah: _____

Present Address: _____

Permanent Address: _____

INSTRUCTIONS

- The institution of financial sacrifices of Jama'at Ahmadiyya is based on the golden principle of **مَسَارَقَتُهُمْ** (out of what we have provided for them). It is imperative for us to uphold this principle vigorously and preserve its spirit.
The foundation stone of Chanda (contribution) is 'Taqwa'. Therefore **تَقْوَى اللَّهِ** (fear of Allah) is always to be borne in mind while self-assessing one's true and actual Income as well as when paying Chanda due on it.
- 'INCOME' means all income of a Musi received by him from various sources. It is, therefore, necessary that, with full awareness, the income derived from each source is to be taken into account and the amount of due Chanda Hissa Amad payable, as per rules, is to be determined. This form is to be filled-in only after this detailed assessment. Some of the Sources of Income are enlisted hereunder for general guidance.
- A Musi's Income includes every kind of income. Anyhow, any allowance of an employed Musi, whose spending is not at his sole discretion, is exempt from inclusion into Income. Similarly, Govt. dues, such as taxes, local rates, compulsory insurance etc., which are levied under Govt.'s order can be deducted from Income.
 - Like-wise, Allowances for specified or particular expenses, e.g. Uniform allowance, Educational allowance for children, are exempt for the purposes of Chanda.
 - Like-wise, Travel and daily allowances (T.A & D.A) paid to perform professional or official duties are exempt from being included in Income. However, it is commendable, if some one pays Chanda on any savings from such allowances.
 - House rent and miscellaneous expenses of similar nature are not to be deducted from Income for the purposes of Chanda.
 - Persons doing any business are to pay Chanda on their net Income, which is to be determined after deducting from their gross income only such expenses as are required to generate income. It is not proper to pay Chanda only on the sums drawn from business, to meet personal monthly expenses.

SOURCES OF INCOME

For general guidance some of the Sources of Income alongwith the prescribed rate of Chanda applicable on the Income derived are enlisted herewith. Please go through these carefully, tick mark (✓) in the 'box' of each source of your Income and duly sign at the end. Jazakomullah.

<u>SOURCE OF INCOME</u>	<u>Rate of Chanda</u>	<u>Box</u>
	1/10	
1. Service (Govt. or Private) Emoluments, Perquisite, Pay, Salary, Remuneration, Overtime All., Coaching or Tuition fees/ Assistantship etc.	or at the rate of Wasiyyat	<input type="checkbox"/>
2. Labour, Wages Overtime allowance., Bonus etc.	...do...	<input type="checkbox"/>
3. Business, Trade & Industry, real Profit, Dividend received on Shares or Certificates etc.	...do...	<input type="checkbox"/>
4. Profession, Trade/Art, Legal or Medical practice, Craftsmanship or application of any Skill.	...do...	<input type="checkbox"/>
5. Lease- holding or Contractor ship, Execute any work on contract.	...do...	<input type="checkbox"/>
6. Pocket money, Money received to meet basic necessities and expenses from Head of the family/Guardian/Children etc.	...do...	<input type="checkbox"/>
7. A Present or Gift in cash, Monetary aid, Subsidy, Subsistence Grant or Allowances, Prize, Social Welfare or Unemployment allowance etc.	...do...	<input type="checkbox"/>
8. Superannuation/ Retirement pension, Commutation, Gratuity, Severance pay or Dues, Old -age pension etc.	...do...	<input type="checkbox"/>
9. Land Cultivation or Farming, Income from non-owned land cultivated by Musi as tenant, contractor or lessee.	1/16	<input type="checkbox"/>
10. Land lordship, Income from Musi's self-owned Estate or Farm (whether cultivated by self or through tenant, contractor or lessee	...do...	<input type="checkbox"/>
11. Land lordship, Income from self- owned Jaidad (property) like Factory or Work shop/House leased out on rent or lease.)	1/10	<input type="checkbox"/>
12. Student, Stipends or Scholarships to meet educational expanses. Such a student will ascertain an appropriate amount in accord with his living standard and condition, after discussing with Jama'at, and pay its 1/10 as Chanda. (I am studying in class _____ or Form/ Course, Its term or period is _____)		

(Signature of Musi/Musiah)

Date:

SPECIMEN FORM FOR PARTICULARS OF PROPERTY*Schedule Form "C" Particulars of Estate & Property under Rule No. 53*

WASIYYAT NO.						
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The Secretary
Majlis Karpardaz Masalih Qabristan
Bahishti Maqbarah, Rabwah.

Assalamo Alaikum wa Rehmatullahe wa Barakatohu.

Please be informed that following are the particulars of my property at present:-
Kindly update my record accordingly.

Residential Plot / field / House and Shop etc.	Agricultural Land	Cattle	Cash Shares of Business etc.	Jewelry / Haq Mahr

Yours Sincerely,

Name of Musi / Musiah / Address

ASSESSMENT PROCEDURE

Regulation 1: Subject to the approval of *Majlis Karpardaz* every *Musi* may be allowed to make payment of *Hissa Jai'dad* during his lifetime by having his entire property or a unit of his property, assessed in the prescribed manner.

Regulation 2: For the purpose of assessment a *Musi* should submit a written application to *Majlis Karpardaz** stating therein his entire moveable and immovable property at the time alongwith relevant particulars.

Regulation 3: If any unit of the property is required to be assessed, it should be particularly specified.

Regulation 4: *Majlis Karpardaz* shall determine the 'assessed value' of the property after consulting the *Nazim Tashkhis Jai'dad* and local *Jama'at** about the current market value and after due consideration of all other relevant matters.

Regulation 5: The 'assessed-value' shall take effect after the approval of Sadr Anjuman Ahmadiyya Pakistan.

Regulation 6: After such assessment, the *Hissa Jai'dad* due may be paid in lump sum or in instalments within a period of two years.

(A) In respect to a house which is under personal occupation of a *Musi* as residence or which is to be occupied by his

* Through *Wakilul Mal II*, Tahrik Jadid Anjuman Ahmadiyya Pakistan, Rabwah for *Musis* outside Pakistan.

dependents after him the period for payment of amount due as *Hissa Jai'dad*, shall extend to five years after the assessment.

(B) If, God forbid, the *Musi* dies while making payments toward *Hissa Jai'dad* of the house mentioned under Regulation 6A, his heirs shall be afforded the facility to pay the outstanding balance within the remaining period. But in order to avail this facility the heirs shall have to furnish, under Rule 80, such security which is acceptable to *Majlis Karpardaz*.

(According to the Decision of *Majlis-e-Mushawarat* Pakistan 1985)

Regulation 7: In case no payment is at all made within the specified time, the said assessment shall stand cancelled.

Regulation 8: In case part payment of the amount due as *Hissa Jai'dad* has been made, the *Hissa Jai'dad* shall be considered to have been paid proportionately; and for the assessment of the remaining portion of *Jai'dad*, a fresh application for assessment will have to be made.

Regulation 9: Payment of *Hissa Jai'dad* on all mortgaged properties shall be obligatory. This may be paid in two ways:

- (i) If a *Musi* wishes to pay the *Hissa Jai'dad* on a mortgaged property in his lifetime, the property will be assessed according to the market value and the outstanding amount of the mortgage will not be deducted from the assessed value.
- (ii) If *Hissa Jai'dad* has not been paid on a mortgaged property in a *Musi's* lifetime, after his/her demise it will be payable only on the amount which is determined after deducting the outstanding amount of mortgage from the assessed value of the property.

Regulation 10: Any property belonging to a *Musi*, which due to legal requirement or necessity is also in the name of another person, such property will be considered as belonging to the person who has actually bought it and not as a joint property.

Regulation 11: A property which has been acquired by a *Musi* but gifted or put in someone else's name shall also be considered part of the *Musi's* estate.

Regulation 12: It shall be the responsibility of a *Musi* to inform about any property which has been bought by someone else and put in his name as a trust, so that it may not be considered part of his estate.

INSTRUCTIONS

MAJALIS MUSIAN

Under Rule 18 of *Wasiyyat* Rules

FORMATION AND MEMBERSHIP

1. A *Majlis Musian* shall be established in each *Jama'at* where there are three or more *Musis*.
2. Every *Musi* shall be a member of the *Majlis Musian* of the local *Jama'at*.
3. The Secretary *Wasaya* shall be the Chairman of *Majlis Musian*.
4. The tenure for the office of the Chairman of the *Majlis Musian* shall be three years.
5. The *Majlis Musian* shall have as many sectors as there are for the administration of the local *Jama'at*.

FUNCTIONS AND DUTIES

NEW WASIYYATS

6. It shall be the duty of the *Majlis Musian* to motivate the members of the local *Jama'at* for *Wasiyyat*, endeavour to bring non-*Musi* members within the fold of Institution of *Wasiyyat* and to constantly draw the attention of the members towards the booklet *Al-Wasiyyat* and the directives of the *Khulafa* of the *Jama'at*.
7. It shall be the duty of *Majlis Musian* to process new *Wasiyyats*, to guide prospective *Musis* and to assist them in writing and executing the *Wasiyyat*.
8. It shall be the duty of the Chairman of the *Majlis Musian* to despatch without delay the *Wasiyyat* after it has been

written down on the prescribed form. All correspondence till the completion and acceptance of *Wasiyyat* shall be carried out through Chairman *Majlis Musian*.

TRAINING AND SUPERVISION

9. The Chairman of the *Majlis Musian* shall act as a liaison between the Department of *Bahishti Maqbarah* and the *Musis*.
10. It shall be the duty of the Chairman of the *Majlis Musian* to maintain an upto date list of the *Musis* and to keep the Department informed of the movement of a *Musi* from one *Jama'at* to the other.
11. The *Majlis Musian* shall hold regular meetings from time to time.
12. The *Majlis Musian*, in its meeting, shall keep on reminding the members of the importance of the Institution of *Wasiyyat*, the Divine tidings relating thereto and their obligations as *Musis*. It will also arrange for the training of the heirs of *Musis* and shall draw their attention to the spirit of *Wasiyyat* and the demands it makes upon them.
13. The *Majlis Musian* shall watch that the *Musis* do not show such weakness in belief and practice that may degrade a *Musi*.
14. It shall be the duty of *Majlis Musian* to chalk out a plan and make arrangements to teach bare reading of the Holy Qur'an to those who cannot and to teach meanings and commentary to those who already know the bare reading.
15. The *Majlis Musian* shall arrange that every *Musi* takes up teaching of 'Qur'an' to two such persons who do not know its reading.
16. The *Majlis Musian* shall make every effort to raise the general standard of training of the *Jama'at* and shall assign

appropriate tasks to individual *Musis* in pursuit of this objective.

TA'LIMUL QUR'AN AND WAQF ARDI

17. The motivation and promotion of *Ta'limul Qur'an* and *Waqf Ardi* scheme in a local *Jama'at* shall be the responsibility of the *Majlis Musian*. The Chairman of the *Majlis Musian* shall, with the help and cooperation of the *Musis*, endeavour to meet the demands of *Ta'limul Qur'an* and *Waqf 'Ardi* schemes.
18. The *Majlis Musian* shall procure a reasonable number of *Waqfin 'Ardi* commensurate with the number and condition of the local *Jama'at*.
19. It shall be the duty of *Majlis Musian* to achieve the cent per cent target of *Ta'limul Qur'an* amongst its members and ensure that there is no *Musi* who does not know even bare reading of the Holy Qur'an.
20. It shall be the duty of *Majlis Musian* to endeavour in the dissemination of the light of the Holy Qur'an and for that purpose work under the directions of the local *Jama'at*, the department of *Ta'limul Qur'an* and the office of *Bahishti Maqbarah*.

ASSISTANCE AND GUIDANCE OF MUSIS

21. It shall be the duty of *Majlis Musian* to keep the *Musis* informed of the *Wasiyyat Rules*, the relevant Regulations and Instructions by convening meetings or through other means.
22. It shall be the duty of *Majlis Musian* to emphasize and explain to all the *Musis* of the *Jama'at* the importance of submission of their declarations, under Rule 69, on receipt of their annual accounts, and also to have their accounts up-

dated, and to help *Musis* resolve any difficulties they may encounter in this regard.

ELECTION

23. In every local *Jama'at* the Secretary *Wasaya* shall be elected as per rules. Every secretary *Wasaya* must necessarily be a *Musi*.

INSTRUCTIONS FOR MUSIS

1. In all your correspondence with the *Bahishti Maqbarah Office** or whenever you pay your *Chanda Hissa Amad* or *Hissa Jai'dad* in the local *Jama'at*, always write your name, father's or husband's name, alongwith your *Wasiyyat* number.
2. Whenever you change your residence from one *Jama'at* to another *Jama'at* please inform the *Bahishti Maqbarah Office** and both the concerned *Jama'ats* of your new address.
3. On receipt of annual statement of payments from the local *Jama'at* or the *Bahishti Maqbarah Office***, as per Rule No. 69, the *Musi* should fill-in the specified declaration form and send it to the local *Jama'at* and the *Bahishti Maqbarah Office***. This form must be sent by the *Bahishti Maqbarah Office*** to the *Musi* by 31st October each year. If for any reason the *Musi* does not receive the record of his payments alongwith the declaration form, he should inform the local *Jama'at* and the *Bahishti Maqbarah Office***.
4. Please preserve the receipts of your payments of *Chanda Hissa Amad/Hissa Jai'dad* in a file. Similarly, please arrange to preserve the *Wasiyyat* Certificate and the relevant documents.

* *Wakilul Mal II*, Tahrik Jadid Anjuman Ahmadiyya Pakistan, Rabwah for *Musis* outside Pakistan.

** National Amir / President shall deliver the detail of annual payments to the *Musis* living outside Pakistan, on behalf of *Wakilul Mal II* Rabwah.

5. Whenever you get an opportunity to visit the Centre of the *Jama'at* please drop in at the *Bahishti Maqbarah* Office and reconcile your payments recorded in the ledger with your receipts.
6. Please bear in mind that under the Rules, it is obligatory for you to inform the *Bahishti Maqbarah* Office about the particulars of your properly after every five years.
7. Always keep in mind that the financial aspect of *Wasiyyat* is only meant to signify the spirit of sacrifice and service to Religion and that what really matters is faith, sincerity and righteous deeds. Furthermore every *Musi* must be 'a God-fearing person, must abstain from the prohibitions and must not indulge in any act that savours of *Shirk* or harmful innovation and should be a simple and straight Muslim'; and 'to the best of his ability, should live in accordance with the Islamic Teachings and should strive in the ways of righteousness and purity – a Muslim with Faith in Unity of Allah and true belief in His Messenger – and should not transgress where the rights of others are concerned'.

INSTRUCTIONS FOR PROSPECTIVE MUSIS

1. Before committing the *Wasiyyat* (Will) to writing please read or have read out to you, more than once, the Promised Messiah's booklet *Al-Wasiyyat* and the Appendix thereto and other rules (Viz. Minutes of the First Meeting of Board of Directors of Sadr Anjuman Ahmadiyya Qadian held on January 29, 1906 duly verified by the Promised Messiah). It is important to bear in mind that the first and foremost condition for an aspirant *Musi* is that he should be pious, should follow the biddings of the *Shari'ah*, should give preference to his faith over every worldly

consideration, and should be a true, sincere and devoted Ahmadi.

2. The *Wasiyyat* is to be executed in good health. A 'death-bed' *Wasiyyat* shall not be accepted.
3. A *Wasiyyat* which includes immovable property should, as far as possible, be signed by the heirs/partners of the *Musi*.
4. The *Wasiyyat* made by a married woman must be witnessed by her husband if he is alive. *Haq Mahr** shall be considered part of her assets and should be specified in her *Wasiyyat*, and it should also be stated whether it has been received or is still due from her husband. The nature, weight and estimated value of all her jewellery should be specified among the details. The monthly income of the husband and, if he is a *Musi*, his *Wasiyyat* number is also to be mentioned.
5. Should there be any legal obstacles preventing the *Musis* from including any part of their immovable property in their *Wasiyyat*, they should execute it as a gift to Sadr Anjuman Ahmadiyya Pakistan, Rabwah in their life-time and put the property in Sadr Anjuman Pakistan, Rabwah's name and should send a copy of the deed of the transfer of property to Sadr Anjuman Pakistan. If they face difficulties in the execution of the said property as a gift, they should write the detail of all such property in their *Wasiyyat* form, at the time of filing their *Wasiyyat*. This detail shall also include the location and market value of all such property. The market value shall be decided in consultation with his local *Jama'at*. The local president shall verify on a separate sheet that the market value of all the property has been evaluated correctly. The president shall also verify that the *Musi* has no other property.

* Dowry given by the groom to the bride.

6. Every *Musi* shall pay *Chanda* on any income from his/her immovable property at the rate of *Chanda 'Am*. All *Musis* must confirm that they will pay *Hissa Amad* on their monthly income and should pay it on a monthly basis. *Musis* should also declare all their annual income in Form Schedule 'C' and send it to the *Bahishti Maqbarah* Office.*
7. A *Musi* shall pay his *Chanda Hissa Amad* either from the date of writing of his *Wasiyyat* or from the date when the *Wasiyyat* has been accepted, regardless of the date when he might receive his *Wasiyyat* certificate.
8. The *Wasiyyat* of such a *Musi* who fails to pay *Chanda Hissa Amad* for six months from the date when it falls due, or discontinues to pay, and does not get permission from the office of *Majlis Karpardaz Masalih Qabristan* Rabwah, showing cause of his inability, is liable to be cancelled.
9. Sadr Anjuman Ahmadiyya Pakistan shall have the right not to accept any *Wasiyyat*, or cancel a *Wasiyyat* after it has been approved without having to disclose the reasons for its cancellation. Any decision made by Sadr Anjuman Ahmadiyya Pakistan in this respect shall be final.

* *Musis* living outside Pakistan shall send these forms to the National Amir / President for onward transmission to *Wakilul Mal II*, Tahrik Jadid Anjuman Ahmadiyya Pakistan.

INSTRUCTIONS FOR
MAJLIS KARPARDAZ MASALIH QABRISTAN

Under Rule No.35 of the *Wasiyyat* Rules

The following points should be considered at the time of granting approval to a new *Wasiyyat*:-

- (1). Examine the sacrifice of the prospective *Musi* in Obligatory *Chandas* as well as other Financial Schemes of the *Jama'at*.
- (2). Men and women have equal rights and responsibilities as far as the eligibility and qualification for *Wasiyyat* is concerned.
- (3). If the prospective *Musi* has transferred any property to his/her wife/husband or any son/daughter or any other person prior to undertaking the Will either as a gift or as a legacy, bequest, inheritance or testamentary disposition, the entire transaction is to be examined thoroughly with a view to ensure that the element of outstanding financial sacrifice and the spirit and purpose of *Wasiyyat* is not in anyway defeated.
- (4). Examine whether the standard of living of the prospective *Musi* conforms to the income stated in the Will.
- (5). If the age of the prospective *Musi* is 60 years or above then, if *Majlis Karpardaz* deems necessary, the following may be asked for him:
 - i. What has been his / her maximum income per month / year.
 - ii. and why could he / she not undertake the *Wasiyyat* at an earlier stage.

INSTRUCTIONS FOR OFFICE-BEARERS OF LOCAL JAMA'ATS

1. Every *Jama'at* shall keep in a Register a complete record of relevant particulars and *Wasiyyat* number of each *Musi* of the *Jama'at*.
2. Whenever a *Musi* moves from one *Jama'at* to another, the local *Jama'at* shall intimate to both the *Bahishti Maqbarah Office** as well as the other *Jama'at* about the change of address of the *Musi*.
3. The local *Jama'at* shall be responsible to ensure that the *Musis*, after receiving the Verification form alongwith the Detail of Payments, have filled it properly and sent it back to the *Bahishti Maqbarah office*.*
4. The local** *Jama'at* shall remit each month amounts of *Chanda Hissa Amad* and *Hissa Jai'dad* to Sadr Anjuman Ahmadiyya Pakistan alongwith details of payments.
5. This detail should contain not only the *Wasiyyat* number but also the name of the *Musi* and his/her father's / husband's name.
6. While receiving *Chanda* from a prospective *Musi* whose *Wasiyyat* is still under consideration for acceptance, it is necessary that:
 - (a) The word '*Amanat*' is written on the receipt issued against the sub-head of *Chanda*, viz. '*Chanda Shart Awwal*', '*Hissa Amad*', '*Hissa Amad*' at the rate of *Chanda 'Am*' and '*Hissa*

* *Wakilul Mal II*, Tahrik Jadid Anjuman Ahmadiyya Pakistan, Rabwah for *Musis* outside Pakistan.

** For *Jama'ats* outside Pakistan: The Local *Jama'at* shall remit all the *Chandas* to the National Headquarters. The National Headquarters shall ensure that details of payments of *Hissa Amad* and *Hissa Jai'dad* received each month is attached with the monthly Statement of Income submitted to the Centre.

Jai'dad', (So that in case of non-acceptance of *Wasiyyat* such amounts could be refunded or adjusted towards *Chanda 'Am* if so desired by the person concerned.)

- (b) According to Rule 38, 'before the *Wasiyyat* is placed for acceptance it shall be obligatory to have it published and notified in at least two newspapers', and under Rule 29 it shall be necessary for a prospective *Musi* to pay expenses for notification of *Wasiyyat*. Since amounts received for these expenses are not refundable, hence the word '*Amanat*' is not to be written on receiving these amounts.

7. While receiving *Chanda* from those *Musis* whose *Wasiyyats* have been cancelled under Rules 63, 66 or 68 and who under Rule 73, 75 or 77 apply for restoration of their *Wasiyyat*, it is essential to write the word '*Amanat*' with the sub-head of *Chanda* (so that in case of non-acceptance of their application for restoration of *Wasiyyat* such amounts may be refunded or adjusted towards *Chanda 'Am* if so desired by the person concerned).

8. * While remitting amounts of *Chanda Hissa Amad* and *Hissa Jai'dad* to Sadr Anjuman Ahmadiyya Pakistan, the local *Jama'ats* shall see that separate copies of details of *Hissa Amad* and *Hissa Jai'dad* are despatched, and an additional copy is forwarded direct to the *Bahishti Maqbarah* Office.

9. It shall be the responsibility of the local *Jama'at* to ensure that alongwith the details of *Hissa Amad* and *Hissa Jai'dad*, the

* For *Jama'ats* outside Pakistan: details of payments towards *Chanda Hissa Amad* and *Hissa Jai'dad* should not be mixed with each other. These statements are to be despatched to *Wakilul Mal II*, Rabwah, through Additional *Wakilul Mal* London.

coupon* number, the date of the coupon* and the *Chanda* code are also entered.

10. Whenever a dead body is sent to Rabwah for burial (in *Bahishti Maqbarah*) the local *Jama'at* shall arrange to forward alongwith the dead body the required particulars of the deceased *Musi* on the prescribed form as set out in Schedule 'F'.

* For *Jama'ats* outside Pakistan: Coupon means the individual receipt number.

**SPECIMEN FORM FOR PARTICULARS OF DECEASED MUSI/MUSIAH
FOR BURIAL**

Schedule 'F' Form of Particulars of the Deceased

**IN THE NAME OF ALLAH, THE GRACIOUS, THE MERCIFUL
PARTICULARS OF DECEASED MUSI/MUSIAH FOR BURIAL**

1	Name of deceased <i>Musi/Musiah</i> , Father's/Husband's name and place of Residence.	
2	<i>Wasiyyat</i> No. with date and portion of which <i>Wasiyyat</i> has been made operative (1/10 to 1/3).	
3	Permanent Address / Place of Residence.	
4	Detail of property stated in <i>Wasiyyat</i> form.	
5	(i) Immovable property at the time of death. (ii) Movable property at the time of death i.e. cash and other assets, ornaments, bank balance etc.	
6	Particulars of any such property which the deceased <i>Musi</i> had to receive from the ' <i>Tarka</i> ' (legacy) of any relative.	
7	Source of income /Occupation/business of the deceased at the time of death.	
8	Detail of any loan which deceased <i>Musi</i> owed to anybody or someone owed to him. Also gratuity, Insurance etc.	
9	Any other matter requiring explanation	
10	Name of heirs of the <i>Musi</i> / <i>Musiah</i> , alongwith their addresses.	
11	Whether the due <i>Hissa Ja'idad</i> will be paid in cash or a security / surety shall be furnished. In latter case what arrangements will be made.	

I certify that the above information is correct to the best of my knowledge. (Signature*)

Phone No. / Complete Address / Date

* Local Amir / Local President

INSTRUCTIONS FOR THE OFFICE OF BAHISHTI
MAQBARAH

The *Bahishti Maqbarah* office shall arrange that:-

1. Photocopy of each basic document of *Wasiyyat* is filed in the *Musi's Wasiyyat* file and the original documents are kept in safe custody.
2. If the approval of *Wasiyyat* or action on the *Musi's* application for assessment is protracted or otherwise delayed the *Musi* is kept informed of the progress.
3. The entries in the column provided for 'Ref. of action taken', in the incoming *Dak* Register, are kept up-to-date.
4. On receiving information from Sadr Anjuman Ahmadiyya Pakistan's Chest, the amounts received without detail are entered in a Register date-wise and District-wise; and initiate correspondence with the respective *Jama'ats* to procure relevant details.
5. (a). Amounts received towards *Chandas 'Shart Awwal', 'Hissa Amad', 'Hissa Amad* at the rate of *Chanda 'Am* and *'Hissa Jai'dad'*, from prospective *Musis* whose *Wasiyyat* is still under consideration for acceptance, are treated as *'Amanat'*, so that in case of non-acceptance of the *Wasiyyat* these amounts may be refunded or adjusted towards *Chanda 'Am* if so desired by the person concerned.
- (b). The amounts received towards expenses for notification of *Wasiyyat*, under Rule 29 and 38, are not refundable.
6. The amounts of *Chandas* received from those *Musis* whose *Wasiyyat* has been cancelled under Rule 63, 66 or 68 and who under Rule 73, 75 or 77 apply for restoration of *Wasiyyat* are treated as *'Amanat'*, so that in case of non-acceptance of their application for restoration such amounts may be refunded or adjusted towards *Chanda 'Am* if so desired by the person concerned; and till the decision of the application for restoration of *Wasiyyat*, such amounts are not entered in his personal ledger.

7. At the end of each fiscal year annual account of each *Musi's Hissa Amad* is despatched to him on a form as set out in Schedule C(a); and that a form as set out in Schedule C is attached to enable the *Musi* to submit his declaration as required by Rule 69.

8. After despatching the annual account to the *Musis* the office shall, through publication in the *Daily Alfazal* and other periodicals of the *Jama'at*, advise the *Musis* to submit their declarations, in respect of payments made, to the office.

9. A request, through registered post, is sent to such *Musis* who fail to submit their declarations upto 15 December, for submission of their declarations. The *Amir/President* of the concerned *Jama'at* is also requested to get such declarations submitted.

10. On receipt of such declaration (as per rule 69) from the *Musi* his final statement of annual account is despatched to him.

11. Statement of account is despatched to a *Musi* whenever demanded.

12. Forms for 'particulars of deceased *Musi* for burial' as set out in schedule 'F' are provided to the local *Jama'ats* so that whenever a dead body is sent for burial (in *Bahishti Maqbarah*) the required information is provided alongwith the dead body.

**INSTRUCTIONS REGARDING RESTORATION OF
CANCELLED WASIYYATS**

Under Rules No. 63, 64, 66, 67, 68, 73, 74, 75, 76, 77

Those persons whose *Wasiyyat* has been cancelled and who apply for restoration of their *Wasiyyat*, should have the word '*Amanat*' inscribed on the receipt while making payments towards *Chanda Wasiyyat*, so that in case of non-acceptance of their application for restoration such amounts may be refunded or adjusted towards *Chanda 'Am* if so desired by the person concerned.

WITH REGARD TO MAQBARAH MUSIAN

(Resolution No.1, Extraordinary / 15-08-1994, Sadr Anjuman
Ahmadiyya Pakistan)

'Where-ever it is possible and the law of the land as well as circumstances permit, the national *Jama'at* of every country should establish separate cemetery for *Musis*. This can be done by setting aside a portion of the *Jama'at's* cemetery for the burial of *Musis* and it should be given the name *Maqbarah-e-Musian*. It should be maintained properly and made to look beautiful in every way'.

1. In each country where the *Maqbarah-e-Musian* is established, a 'Committee for *Maqbarah-e-Musian*' is to be formed with the approval of Hadrat Khalifatul Masih. This Committee shall motivate the members of the *Jama'at* to make *Wasiyyat* and it shall be responsible for all matters related to the burial of *Musis* and *Maqbarah-e-Musian*.
2. This Committee shall comprise 5 to 7 members including the *Amir* who shall be its Chairman. The National secretary *Wasaya*, the National Secretary *Mal* and the Missionary Incharge shall also be its members. National Secretary *Wasaya* shall be the Secretary of the Committee. The quorum for a meeting shall be three.
3. When a *Musi* dies, every effort should be made to bring his/her body to *Bahishti Maqbarah Rabwah/Qadian*. In this case, alongwith the body the report of the 'Committee for *Maqbarah-e-Musian*' shall be sent to the *Markaz* alongwith the particulars of the deceased *Musi*. *Majlis Karpardaz Masalih Qabristan Rabwah/Qadian* shall carry out the burial in *Bahishti Maqbarah* after fulfilling the necessary requirements.
4. If it is not possible to transport a *Musi's* body to the *Markaz*, the 'Committee for *Maqbarah-e-Musian*' shall

carry out the necessary processing for burial in *Maqbarah-e-Musian*. For this purpose the Committee shall submit its report to Hadrat Khalifatul Masih, or to whoever is appointed by Hadur for this purpose. This report should include the particulars of a *Musi's Wasiyyat*, *Tarka* (Inheritance), *Hissa Jai'dad* and *Hissa Amad* and other necessary particulars for burial and also recommendation for burial in *Maqbarah-e-Musian*. On receiving the approval of Hadrat Khalifatul Masih or his appointee for the purpose, the burial in *Maqbarah-e-Musian* shall be carried out.

5. For all *Musis* buried in *Maqbarah-e-Musian* Memorial stones shall be erected in *Bahishti Maqbarah* Qadian/Rabwah. These stones shall be country-wise, and may include *Musi's* name, father/husband's name, *Wasiyyat* number, age, date of death and place of burial. If the number of such *Musis* is too large, several names can be listed on a single stone.
6. Moreover, Sadr Anjuman Ahmadiyya Pakistan shall maintain a proper record of the names of such *Musis*. Copies of this record shall also be kept in prominent Mission Houses of the *Jama'at*.